

IN THE HIGH COURT OF CHHATTISGARH AT BILASPURWRIT PETITION NO. 2137/2006.PETITIONER :

Rewati Raman Tripathi, S/o
Shri K.B. Tripathi, Aged about
55 years, R/o Old Civil Lines
Ward, No. 13, Rajnandgaon
(C.G.)

P.R. No. 1093/06
Presented by S. Ganesha Prasad
dated 28/2/06

VERSUSRESPONDENTS:

- 1) Collector,
Cum-Nominated Chairman
District Co-op-central Bank
Maryadit, Head office G. E.
Road, Rajnandgaon (C.G.).
- 2) The District Co-Op-central
Bank Maryadit, Head Office
Rajnandgaon Through its
General Manager Rajnandgaon
(C.G.).
- 3) The Manager,
Distt. Co-op-central Bank; H.O.
Rajnandgaon.(C.G.)

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WRIT PETITION UNDER ARTICLE 226/227 OF THE
CONSTITUTION OF INDIA FOR ISSUE OF A WRIT/
WRITS IN THE NATURE OF MANADAMUS AND/OR
CERTIORARI AND/OR OTHER APPROPRIATE WRIT
'OR' DIRECTIONS.

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No. 2137 of 2006

Petitioner : Rewati Raman Tripathi

Versus

**Respondents : Collector Cum Nominated
Chairman and others**

Single Bench: Hon'ble Mr. Justice Satish K. Agnihotri.

Shri Pradeep Kumar Mishra, counsel for the Petitioner.

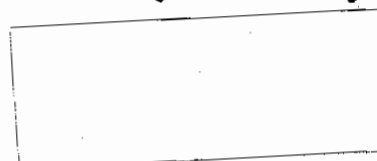
**Shri Satish Gupta, Deputy Government Advocate for the
State.**

Shri A.K. Mishra, counsel for the Caveator.

ORAL ORDER

(28th April, 2006)

1. The present petition filed under Article 226 of the Constitution of India impugns the termination order dated 12.1.2006 (Annexure P/20) passed by the Manager, District Co-operative Central Bank Limited, Rajnandgaon and the order dated 4.2.2006 (Annexure P/22) again passed by the Manager, District Co-operative Central Bank Limited, Rajnandgaon. Section 55 (2) of the Chhattisgarh Co-operative Societies Act, 1960 provides for appeal to the Registrar or any officer appointment by him not below the rank of Assistant Registrar, in case of the dispute regarding terms of employment, working condition and disciplinary action between a society and its employees. The remedy of statutory



appeal provided is efficacious and expeditious. The petitioner ought to have availed the alternative remedy of statutory appeal before coming to this Court under Article 226 of the Constitution of India. Section 55 (2) of the Chhattisgarh Co-operative Societies Act, 1960 reads as under :-

“(2) Where a dispute, including a dispute regarding terms of employment working conditions and disciplinary action taken by a society, arises between a society and its employees, the Registrar or any officer appointed by him not below the rank of Assistant Registrar shall decide the dispute and his decision shall be binding on the society and its employees:

Provided that the Registrar of the officer referred to above shall not entertain the dispute unless presented to him within thirty days from the date of order sought to be impugned:

Provided further that in computing the period of limitation under the foregoing proviso, the time requisite for obtaining copy of the order shall be excluded.”

2. In view of availability of expeditious and efficacious alternative remedy of statutory appeal to the petitioner under the provisions of the Chhattisgarh Co-operative Societies Act, 1960, this petition is dismissed with liberty to avail alternative remedy of appeal available to him under the statutory provisions. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge